

Calendar No. 634

106TH CONGRESS
2D SESSION**S. 2352****[Report No. 106-316]**

To designate portions of the Wekiva River and associated tributaries as
a component of the National Wild and Scenic Rivers System.

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2000

Mr. GRAHAM introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

JUNE 27, 2000

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the
title

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To designate portions of the Wekiva River and associated
tributaries as a component of the National Wild and
Scenic Rivers System.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “~~Wekiva Wild and See-~~
5 ~~nie River Designation Act~~”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) Public Law 104-311 authorized the study
4 of the Wekiva River and the associated tributaries of
5 Rock Springs Run and Seminole Creek (including
6 Wekiwa Springs Run and the tributary of Black
7 Water Creek that connects Seminole Creek to the
8 Wekiva River) for potential inclusion in the National
9 Wild and Scenic Rivers System;

10 (2) the study referred to in paragraph (1) de-
11 termined that the Wekiva River and the associated
12 tributaries of Wekiwa Springs Run, Rock Springs
13 Run, Seminole Creek, and Black Water Creek down-
14 stream of Lake Norris to the confluence with the
15 Wekiva River are eligible for inclusion in the Na-
16 tional Wild and Scenic Rivers System based on the
17 free-flowing condition and outstanding scenic, rec-
18 reational, fishery, wildlife, historic, cultural, and
19 water quality values of those waterways;

20 (3) the public support for designation of the
21 Wekiva River as a component of the National Wild
22 and Scenic Rivers System has been demonstrated
23 through substantial attendance at public meetings,
24 State and local agency support, and the support and
25 endorsement of designation by the Wekiva River
26 Basin Working Group that was established by the

1 Department of Environmental Protection of the
2 State of Florida and represents a broad cross sec-
3 tion of State and local agencies, landowners, envi-
4 ronmentalists, nonprofit organizations, and rec-
5 reational users, including—

6 (A) agencies and political subdivisions of
7 the State of Florida, including—

8 (i) the Department of Environmental
9 Protection of the State of Florida;

10 (ii) the Department of Transportation
11 of the State of Florida;

12 (iii) the East Central Florida Regional
13 Planning Council;

14 (iv) Orange County, Seminole County,
15 and Lake County, Florida;

16 (v) the Game and Fresh Water Fish
17 Commission of the State of Florida;

18 (vi) the St. Johns River Water Man-
19 agement District; and

20 (vii) the Seminole State Forest;

21 (B) nonprofit organizations, including—

22 (i) the organization known as Friends
23 of the Wekiva;

24 (ii) the Florida Trail Association;

25 (iii) the Nature Conservancy;

- 1 (iv) the Florida Audubon Society;
- 2 (v) the Sierra Club; and
- 3 (vi) the Defenders of Wildlife;
- 4 (C) the Florida Sport Paddling Club;
- 5 (D) the University of Central Florida;
- 6 (E) adjacent landowners;
- 7 (F) neighboring city agencies; and
- 8 (G) State and county park concessionaires;

9 (4) the State of Florida has demonstrated a
10 commitment to protect the Wekiva River—

11 (A) by enacting Florida Statutes chapter
12 369, the Wekiva River Protection Act;

13 (B) by establishing a riparian habitat wild-
14 life protection zone and water quality protection
15 zone administered by the St. Johns River Water
16 Management District;

17 (C) by designating the Wekiva River as
18 outstanding Florida waters; and

19 (D) by acquiring State preserve, reserve,
20 and park land adjacent to the Wekiva River
21 and associated tributaries;

22 (5) Lake, Seminole, and Orange Counties, Flor-
23 ida, have demonstrated their commitment to protect
24 the Wekiva River and associated tributaries in the

1 comprehensive land use plans and land development
2 regulations of those counties; and

3 ~~(6) the segments of the Wekiva River, Rock~~
4 ~~Springs Run, and Black Water Creek described in~~
5 ~~section 3, totaling approximately 41.6 miles, are in~~
6 ~~public ownership, protected by conservation ease-~~
7 ~~ments, or defined as waters of the State of Florida.~~

8 **SEC. 3. DESIGNATION.**

9 Section 3(a) of the Wild and Scenic Rivers Act (16
10 U.S.C. 1274(a)) is amended by adding at the end the fol-
11 lowing:

12 ~~“(161) WEKIVA RIVER, ROCK SPRINGS RUN,~~
13 ~~AND BLACK WATER CREEK, FLORIDA.—~~

14 ~~“(A) DEFINITIONS.—In this paragraph:~~

15 ~~“(i) COUNCIL.—The term ‘Council’~~
16 ~~means the Wekiva River Coordinating~~
17 ~~Council established under subparagraph~~
18 ~~(D).~~

19 ~~“(ii) PLAN.—The term ‘Plan’ means~~
20 ~~the comprehensive management plan re-~~
21 ~~quired to be developed under subsection~~
22 ~~(d).~~

23 ~~“(iii) SECRETARY.—The term ‘Sec-~~
24 ~~retary’ means the Secretary of the Interior,~~

1 acting in consultation with the Governor of
 2 the State of Florida.

3 “(B) DESIGNATION.—The 45.5 miles of
 4 river and tributary segments in Florida, as fol-
 5 lows:

6 “(i) WEKIVA RIVER, FLORIDA.—The
 7 14.9 miles of the Wekiva River, from its
 8 confluence with the St. Johns River to
 9 Wekiwa Springs, to be administered by the
 10 Secretary in the following classifications:

11 “(I) From the confluence with
 12 the St. Johns River to the southern
 13 boundary of the Lower Wekiva River
 14 State Preserve, approximately 4.4
 15 miles, as a wild river.

16 “(II) From the southern bound-
 17 ary of the Lower Wekiva River State
 18 Preserve to the northern boundary of
 19 Rock Springs Run State Reserve at
 20 the Wekiva River, approximately 3.4
 21 miles, as a recreational river.

22 “(III) From the northern bound-
 23 ary of Rock Springs Run State Re-
 24 serve at the Wekiva River to the
 25 southern boundary of Rock Springs

1 Run State Reserve at the Wekiva
2 River, approximately 5.9 miles, as a
3 wild river.

4 “(IV) From the southern bound-
5 ary of Rock Springs Run State Re-
6 serve at the Wekiva River upstream
7 along Wekiwa Springs Run to Wekiwa
8 Springs, approximately 1.2 miles, as a
9 recreational river.

10 “(ii) ROCK SPRINGS RUN, FLORIDA.—
11 The 8.8 miles of Rock Springs Run, from
12 its confluence with the Wekiwa Springs
13 Run to its headwaters at Rock Springs, to
14 be administered by the Secretary in the
15 following classifications:

16 “(I) From the confluence with
17 Wekiwa Springs Run to the western
18 boundary of Rock Springs Run State
19 Reserve at Rock Springs Run, ap-
20 proximately 6.9 miles, as a wild river.

21 “(II) From the western boundary
22 of Rock Springs Run State Reserve at
23 Rock Springs Run to Rock Springs,
24 approximately 1.9 miles, as a ree-
25 recreational river.

1 “(iii) BLACK WATER CREEK, FLOR-
 2 IDA.—The 17.9 miles of Black Water
 3 Creek from its confluence with the Wekiva
 4 River to the outflow from Lake Norris, to
 5 be administered by the Secretary in the
 6 following classifications:

7 “(I) From the confluence with
 8 the Wekiva River to approximately .25
 9 mile downstream of the Seminole
 10 State Forest road crossing, approxi-
 11 mately 4.0 miles, as a wild river.

12 “(II) From approximately .25
 13 mile downstream of the Seminole
 14 State Forest road to approximately
 15 .25 mile upstream of the Seminole
 16 State Forest road crossing, approxi-
 17 mately .5 mile, as a scenic river.

18 “(III) From approximately .25
 19 mile upstream of the Seminole State
 20 Forest road crossing to approximately
 21 .25 mile downstream of the old rail-
 22 road grade crossing (approximately
 23 river mile 9), approximately 4.5 miles,
 24 as a wild river.

1 “(IV) From approximately .25
2 mile downstream of the old railroad
3 grade crossing (approximately river
4 mile 9) upstream to the boundary of
5 Seminole State Forest (approximately
6 river mile 10.6); approximately 1.6
7 miles; as a scenic river.

8 “(V) From the boundary of Sem-
9 inole State Forest (approximately
10 river mile 10.6) to approximately .25
11 mile downstream of the State Road
12 44 crossing; approximately .9 mile; as
13 a wild river.

14 “(VI) From approximately .25
15 mile downstream of State Road 44 to
16 approximately .25 mile upstream of
17 the State Road 44A crossing; approxi-
18 mately .5 mile; as a recreational river.

19 “(VII) From approximately .25
20 mile upstream of the State Road 44A
21 crossing to approximately .25 mile
22 downstream of the Lake Norris Road
23 crossing; approximately 4.8 miles; as
24 a wild river.

1 ~~“(VIII) From approximately .25~~
 2 ~~mile downstream of the Lake Norris~~
 3 ~~Road crossing to the outflow from~~
 4 ~~Lake Norris, approximately 1.1 miles,~~
 5 ~~as a recreational river.~~

6 ~~“(iv) SEMINOLE CREEK, FLORIDA.—~~
 7 ~~The 3.9 miles of Seminole Creek from its~~
 8 ~~confluence with Black Water Creek to~~
 9 ~~Seminole Spring, to be administered by the~~
 10 ~~Secretary as a wild river.~~

11 ~~“(C) ADMINISTRATION.—The segments~~
 12 ~~designated by subparagraph (B) shall be ad-~~
 13 ~~ministered by the Secretary as components of~~
 14 ~~the National Wild and Scenic Rivers System,~~
 15 ~~through written cooperative agreements with~~
 16 ~~the State of Florida under section 10(c) and in~~
 17 ~~accordance with subparagraph (E)(i)(I), except~~
 18 ~~that publicly owned land within the boundaries~~
 19 ~~of designated segments shall continue to be~~
 20 ~~managed by the agency or entity having juris-~~
 21 ~~diction over the land.~~

22 ~~“(D) WEKIVA RIVER COORDINATING COUN-~~
 23 ~~CIL.—~~

24 ~~“(i) ESTABLISHMENT.—The Secretary~~
 25 ~~shall establish the Wekiva River Coordi-~~

1 nating Council, through the cooperative
2 agreements described in subparagraph
3 ~~(E)(i)(I)~~, to assist—

4 “~~(I)~~ in the development of the
5 Plan; and

6 “~~(II)~~ the Secretary in deter-
7 mining whether a proposed water re-
8 sources project would have a direct
9 and adverse effect on the values for
10 which the segments designated by
11 subparagraph ~~(B)~~ were included in
12 the National Wild and Scenic Rivers
13 System.

14 “~~(ii)~~ COMPOSITION.—The Council
15 shall be composed of a representative of
16 each of—

17 “~~(I)~~ the Department of the Inte-
18 rior (represented by the Director of
19 the National Park Service or a des-
20 ignee);

21 “~~(II)~~ the East Central Florida
22 Regional Planning Council;

23 “~~(III)~~ the Department of Envi-
24 ronmental Protection of the State of

1 Florida, Division of Recreation and
2 Parks;

3 “(IV) the Department of Envi-
4 ronmental Protection of the State of
5 Florida, Wekiva River Aquatic Pre-
6 serve;

7 “(V) the Division of Forestry of
8 the Department of Agriculture and
9 Consumer Services of the State of
10 Florida;

11 “(VI) the Florida Audubon Soci-
12 ety;

13 “(VII) the nonprofit organization
14 known as Friends of the Wekiva, In-
15 corporated;

16 “(VIII) the Lake County Water
17 Authority;

18 “(IX) Lake County;

19 “(X) Orange County;

20 “(XI) Seminole County;

21 “(XII) the St. Johns River Water
22 Management District;

23 “(XIII) the Fish and Wildlife
24 Conservation Commission of the State
25 of Florida;

1 “(XIV) the city of Altamonte
2 Springs, Florida;

3 “(XV) the city of Longwood,
4 Florida;

5 “(XVI) the city of Apopka, Flor-
6 ida;

7 “(XVII) the city of Mt. Plym-
8 outh, Florida;

9 “(XVIII) the Florida Farm Bu-
10 reau Federation;

11 “(XIX) the Florida Forestry As-
12 sociation;

13 “(XX) the Lake County Chamber
14 of Commerce;

15 “(XXI) the Orange County
16 Chamber of Commerce;

17 “(XXII) the Seminole County
18 Chamber of Commerce; and

19 “(XXIII) any other interested
20 party, by request to the Secretary and
21 with unanimous consent of the mem-
22 bers of the Council.

23 “(iii) APPOINTMENT OF MEMBERS.—
24 One representative and 1 alternate shall be

1 appointed from each member agency, agen-
2 cy division, or organization as follows:

3 “(I) State agency representative,
4 by the head of the State agency.

5 “(II) Local government rep-
6 resentatives, by the respective gov-
7 erning bodies of the local govern-
8 ments.

9 “(III) Water management dis-
10 trict, by its Governing Board.

11 “(IV) Department of the Interior
12 representative, by the Secretary, act-
13 ing through the Southeast Regional
14 Director of the National Park Service.

15 “(V) East Central Florida Re-
16 gional Planning Council, by its Gov-
17 erning Board.

18 “(VI) Other entities and organi-
19 zations, by the respective governing
20 bodies of the entities and organiza-
21 tions.

22 “(iv) VOTES.—Each member agency,
23 governmental entity, or organization shall
24 have 1 vote.

1 “(v) ~~ADDITIONAL PROCEDURES.~~—The
 2 Council shall develop and submit for the
 3 approval of the Secretary any additional
 4 procedures required to carry out the busi-
 5 ness of the Council as part of the Plan.

6 “(vi) ~~FREQUENCY OF MEETINGS.~~—
 7 The Council shall meet at the call of the
 8 Florida Department of Environmental Pro-
 9 tection and the St. Johns River Water
 10 Management District, in consultation with
 11 the Secretary.

12 “(vii) ~~ADVISORY~~ ~~ROLE.~~—The
 13 Council—

14 “(I) shall serve the Secretary
 15 only in an advisory capacity; and

16 “(II) shall not have regulatory or
 17 land acquisition authority.

18 “(E) ~~MANAGEMENT.~~—

19 “(i) ~~FEDERAL ROLE.~~—

20 “(I) ~~IN GENERAL.~~—The Sec-
 21 retary, in accordance with sections
 22 10(c) and 11(b)(1), shall enter into
 23 written cooperative agreements with
 24 the State of Florida and may enter
 25 into written cooperative agreements

1 with appropriate local political juris-
2 dictions, interested landowners, and
3 private organizations and individuals,
4 to provide for the long-term protec-
5 tion, preservation, and enhancement
6 of the river segments designated by
7 subparagraph (B).

8 “(II) COMPREHENSIVE MANAGE-
9 MENT PLAN.—The Secretary, in con-
10 sultation with the Department of En-
11 vironmental Protection of the State of
12 Florida, the St. Johns River Water
13 Management District, and the Coun-
14 cil, shall develop a comprehensive
15 management plan for the river seg-
16 ments designated by subparagraph
17 (B).

18 “(III) SUPPORT.—The Secretary
19 may provide technical assistance, staff
20 support, and funding to assist in the
21 development and implementation of
22 the Plan.

23 “(IV) REVIEW AND REPORT.—
24 The Secretary, in consultation with
25 the Department of Environmental

1 Protection of the State of Florida, the
 2 St. Johns River Water Management
 3 District, and the Council, shall bienni-
 4 ally review, and revise as necessary,
 5 the Plan.

6 ~~“(V) REPORT.—After each bien-~~
 7 ~~nial review described in subclause~~
 8 ~~(IV), the Secretary shall submit to the~~
 9 ~~Council on Resources of the House of~~
 10 ~~Representatives and the Council on~~
 11 ~~Energy and Natural Resources of the~~
 12 ~~Senate a report describing any devi-~~
 13 ~~ation from the Plan that could result~~
 14 ~~in any diminution of the values for~~
 15 ~~which a river segment was designated~~
 16 ~~by subparagraph (B).~~

17 ~~“(ii) NO ADMINISTRATION.—Imple-~~
 18 ~~mentation of this paragraph through coop-~~
 19 ~~erative agreements as described in clause~~
 20 ~~(i)(I) shall not—~~

21 ~~“(I) constitute or authorize Na-~~
 22 ~~tional Park Service administration of~~
 23 ~~the segments designated by subpara-~~
 24 ~~graph (B) for purposes of subsection~~
 25 ~~(d) or section 10(c); and~~

1 “(H) shall not cause any segment
 2 designated by subparagraph (B) to be
 3 considered a unit of the National
 4 Park System.

5 “(F) EFFECT OF DESIGNATION.—With re-
 6 spect to the river segments designated as com-
 7 ponents of the National Wild and Scenic Rivers
 8 System under this paragraph, nothing in this
 9 paragraph—

10 “(i) imposes or authorizes the adop-
 11 tion of additional or more restrictive regu-
 12 latory requirements;

13 “(ii) authorizes the denial of a permit
 14 or the imposition of additional permit con-
 15 ditions; or

16 “(iii) authorizes any governmental
 17 agency to reduce or restrict the rights of
 18 the owners of uplands adjacent to the des-
 19 ignated river segments.

20 “(G) AUTHORIZATION OF APPROPRIA-
 21 TIONS.—There are authorized to be appro-
 22 priated such sums as are necessary to carry out
 23 this paragraph.”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Wekiva Wild and Scenic*
3 *River Designation Act”.*

4 **SEC. 2. FINDINGS.**

5 *Congress finds that—*

6 *(1) Public Law 104–311 authorized the study of*
7 *the Wekiva River and the associated tributaries of*
8 *Rock Springs Run and Seminole Creek (including*
9 *Wekiwa Springs Run and the tributary of Black*
10 *Water Creek that connects Seminole Creek to the*
11 *Wekiva River) for potential inclusion in the National*
12 *Wild and Scenic Rivers System;*

13 *(2) the study referred to in paragraph (1) deter-*
14 *mined that the Wekiva River and the associated trib-*
15 *utaries of Wekiwa Springs Run, Rock Springs Run,*
16 *Seminole Creek, and Black Water Creek downstream*
17 *of Lake Norris to the confluence with the Wekiva*
18 *River are eligible for inclusion in the National Wild*
19 *and Scenic Rivers System based on the free-flowing*
20 *condition and outstanding scenic, recreational, fish-*
21 *ery, wildlife, historic, cultural, and water quality val-*
22 *ues of those waterways;*

23 *(3) the public support for designation of the*
24 *Wekiva River as a component of the National Wild*
25 *and Scenic Rivers System has been demonstrated*
26 *through substantial attendance at public meetings,*

1 *State and local agency support, and the support and*
2 *endorsement of designation by the Wekiva River*
3 *Basin Working Group that was established by the De-*
4 *partment of Environmental Protection of the State of*
5 *Florida and represents a broad cross section of State*
6 *and local agencies, landowners, environmentalists,*
7 *nonprofit organizations, and recreational users;*

8 *(4) the State of Florida has demonstrated a com-*
9 *mitment to protect the Wekiva River—*

10 *(A) by enacting Florida Statutes chapter*
11 *369, the Wekiva River Protection Act;*

12 *(B) by establishing a riparian habitat wild-*
13 *life protection zone and water quality protection*
14 *zone administered by the St. Johns River Water*
15 *Management District;*

16 *(C) by designating the Wekiva River as out-*
17 *standing Florida waters; and*

18 *(D) by acquiring State preserve, reserve,*
19 *and park land adjacent to the Wekiva River and*
20 *associated tributaries;*

21 *(5) Lake, Seminole, and Orange Counties, Flor-*
22 *ida, have demonstrated their commitment to protect*
23 *the Wekiva River and associated tributaries in the*
24 *comprehensive land use plans and land development*
25 *regulations of those counties; and*

1 (6) *the segments of the Wekiva River, Rock*
 2 *Springs Run, and Black Water Creek described in*
 3 *section 3, totaling approximately 41.6 miles, are in*
 4 *public ownership, protected by conservation ease-*
 5 *ments, or defined as waters of the State of Florida.*

6 **SEC. 3. DESIGNATION.**

7 *Section 3(a) of the Wild and Scenic Rivers Act (16*
 8 *U.S.C. 1274(a)) is amended by adding at the end the fol-*
 9 *lowing:*

10 “(162) *WEKIVA RIVER, WEKIWA SPRINGS RUN,*
 11 *ROCK SPRINGS RUN, AND BLACK WATER CREEK, FLOR-*
 12 *IDA.—*

13 “(A) *The 41.6 miles of river tributary seg-*
 14 *ments in Florida, as follows:*

15 “(i) *WEKIVA RIVER, FLORIDA.—The*
 16 *14.9 miles of the Wekiva River, from its*
 17 *confluence with the St. Johns River to*
 18 *Wekiwa Springs, to be administered by the*
 19 *Secretary in the following classifications:*

20 “(I) *From the confluence with the*
 21 *St. Johns River to the southern bound-*
 22 *ary of the Lower Wekiva River State*
 23 *Preserve, approximately 4.4 miles, as a*
 24 *wild river.*

1 “(II) *From the southern boundary*
 2 *of the Lower Wekiva River State Pre-*
 3 *serve to the northern boundary of Rock*
 4 *Springs Run State Reserve at the*
 5 *Wekiva River, approximately 3.4*
 6 *miles, as a recreational river.*

7 “(III) *From the northern bound-*
 8 *ary of Rock Springs Run State Reserve*
 9 *at the Wekiva River to the southern*
 10 *boundary of Rock Springs Run State*
 11 *Reserve at the Wekiva River, approxi-*
 12 *mately 5.9 miles, as a wild river.*

13 “(IV) *From the southern bound-*
 14 *ary of Rock Springs Run State Reserve*
 15 *at the Wekiva River upstream along*
 16 *Wekiwa Springs Run to Wekiwa*
 17 *Springs, approximately 1.2 miles, as a*
 18 *recreational river.*

19 “(ii) *ROCK SPRINGS RUN, FLORIDA.—*
 20 *The 8.8 miles of Rock Springs Run, from*
 21 *its confluence with the Wekiwa Springs*
 22 *Run to its headwaters at Rock Springs, to*
 23 *be administered by the Secretary in the fol-*
 24 *lowing classifications:*

1 “(I) *From the confluence with*
 2 *Wekiwa Springs Run to the western*
 3 *boundary of Rock Springs Run State*
 4 *Reserve at Rock Springs Run, approxi-*
 5 *mately 6.9 miles, as a wild river.*

6 “(II) *From the western boundary*
 7 *of Rock Springs Run State Reserve at*
 8 *Rock Springs Run to Rock Springs,*
 9 *approximately 1.9 miles, as a rec-*
 10 *reational river.*

11 “(iii) *BLACK WATER CREEK, FLOR-*
 12 *IDA.—The 17.9 miles of Black Water Creek*
 13 *from its confluence with the Wekiva River*
 14 *to the outflow from Lake Norris, to be ad-*
 15 *ministered by the Secretary in the following*
 16 *classifications:*

17 “(I) *From the confluence with the*
 18 *Wekiva River to approximately .25*
 19 *mile downstream of the Seminole State*
 20 *Forest road crossing, approximately*
 21 *4.0 miles, as a wild river.*

22 “(II) *From approximately .25*
 23 *mile downstream of the Seminole State*
 24 *Forest road to approximately .25 mile*
 25 *upstream of the Seminole State Forest*

1 *road crossing, approximately .5 mile,*
2 *as a scenic river.*

3 “(III) *From approximately .25*
4 *mile upstream of the Seminole State*
5 *Forest road crossing to approximately*
6 *.25 mile downstream of the old rail-*
7 *road grade crossing (approximately*
8 *river mile 9), approximately 4.5 miles,*
9 *as a wild river.*

10 “(IV) *From approximately .25*
11 *mile downstream of the old railroad*
12 *grade crossing (approximately river*
13 *mile 9) upstream to the boundary of*
14 *Seminole State Forest (approximately*
15 *river mile 10.6), approximately 1.6*
16 *miles, as a scenic river.*

17 “(V) *From the boundary of Semi-*
18 *nole State Forest (approximately river*
19 *mile 10.6) to approximately .25 mile*
20 *downstream of the State Road 44*
21 *crossing, approximately .9 mile, as a*
22 *wild river.*

23 “(VI) *From approximately .25*
24 *mile downstream of State Road 44 to*
25 *approximately .25 mile upstream of*

1 the State Road 44A crossing, approxi-
2 mately .5 mile, as a recreational river.

3 “(VII) From approximately .25
4 mile upstream of the State Road 44A
5 crossing to approximately .25 mile
6 downstream of the Lake Norris Road
7 crossing, approximately 4.8 miles, as a
8 wild river.

9 “(VIII) From approximately .25
10 mile downstream of the Lake Norris
11 Road crossing to the outflow from Lake
12 Norris, approximately 1.1 miles, as a
13 recreational river.

14 **SEC. 4. SPECIAL REQUIREMENTS APPLICABLE TO WEKIVA**
15 **RIVER AND TRIBUTARIES.**

16 (a) *DEFINITIONS.*—As used in this Act:

17 (1) *COMMITTEE.*—The term “Committee” means
18 the Wekiva River System Advisory Management Com-
19 mittee established pursuant to section 5.

20 (2) *COMPREHENSIVE MANAGEMENT PLAN.*—The
21 terms “comprehensive management plan” and “plan”
22 mean the comprehensive management plan to be de-
23 veloped pursuant to section 3(d) of the Wild and Sce-
24 nic Rivers Act (16 U.S.C. 1274(d)).

1 (3) *SECRETARY.*—*The term “Secretary” means*
 2 *the Secretary of the Interior.*

3 (4) *WEKIVA RIVER SYSTEM.*—*The term “Wekiva*
 4 *River system” means the segments of the Wekiva*
 5 *River, Wekiwa Springs Run, Rock Springs Run, and*
 6 *Black Water Creek in the State of Florida designated*
 7 *as components of the National Wild and Scenic Riv-*
 8 *ers System by paragraph (161) of section 3(a) of the*
 9 *Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as*
 10 *added by this Act.*

11 (b) *COOPERATIVE AGREEMENT.*—

12 (1) *USE AUTHORIZED.*—*In order to provide for*
 13 *the long-term protection, preservation, and enhance-*
 14 *ment of the Wekiva River system, the Secretary shall*
 15 *offer to enter into cooperative agreements pursuant to*
 16 *sections 10(c) and 11(b)(1) of the Wild and Scenic*
 17 *Rivers Act (16 U.S.C. 1281(c), 1282(b)(1)) with the*
 18 *State of Florida, appropriate local political jurisdic-*
 19 *tions of the State, namely the counties of Lake, Or-*
 20 *ange, and Seminole, and appropriate local planning*
 21 *and environmental organizations.*

22 (2) *EFFECT OF AGREEMENT.*—*Administration*
 23 *by the Secretary of the Wekiva River system through*
 24 *the use of cooperative agreements shall not constitute*
 25 *National Park Service administration of the Wekiva*

1 *River system for purposes of section 10(c) of the Wild*
 2 *and Scenic Rivers Act (10 U.S.C. 1281(c)) and shall*
 3 *not cause the Wekiva River system to be considered as*
 4 *a unit of the National Park System. Publicly owned*
 5 *lands within the boundaries of the Wekiva River sys-*
 6 *tem shall continue to be managed by the agency hav-*
 7 *ing jurisdiction over the lands, in accordance with the*
 8 *statutory authority and mission of the agency.*

9 (c) *COMPLIANCE REVIEW.*—*After completion of the*
 10 *comprehensive management plan, the Secretary shall bien-*
 11 *nially review compliance with the plan and shall promptly*
 12 *report to the Committee on Resources of the United States*
 13 *House of Representatives and the Committee on Energy and*
 14 *Natural Resources of the United States Senate any devi-*
 15 *ation from the plan that could result in any diminution*
 16 *of the values for which the Wekiva River system was de-*
 17 *signed as a component of the National Wild and Scenic*
 18 *Rivers System.*

19 (d) *TECHNICAL ASSISTANCE AND OTHER SUPPORT.*—
 20 *The Secretary may provide technical assistance, staff sup-*
 21 *port, and funding to assist in the development and imple-*
 22 *mentation of the comprehensive management plan.*

23 (e) *FUTURE DESIGNATION OF SEMINOLE CREEK.*—*If*
 24 *the Secretary finds that Seminole Creek in the State of Flor-*
 25 *ida, from its headwaters at Seminole Springs to its con-*

1 *fluence with Black Water Creek, is eligible for designation*
 2 *under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et*
 3 *seq.), and the owner of the property through which Seminole*
 4 *Creek runs notifies the Secretary of the owner's support for*
 5 *designation, the Secretary may designate that tributary as*
 6 *an additional component of the National Wild and Scenic*
 7 *Rivers System. The Secretary shall publish notice of the des-*
 8 *ignation in the Federal Register, and the designation shall*
 9 *become effective on the date of publication.*

10 (f) *LIMITATION ON FEDERAL SUPPORT.—Nothing in*
 11 *this section shall be construed to authorize funding for land*
 12 *acquisition, facility development, or operations.*

13 **SEC. 5. WEKIVA RIVER SYSTEM ADVISORY MANAGEMENT**
 14 **COMMITTEE.**

15 (a) *ESTABLISHMENT.—The Secretary shall establish*
 16 *an advisory committee, to be known as the Wekiva River*
 17 *System Advisory Management Committee, to assist in the*
 18 *development of the comprehensive management plan for the*
 19 *Wekiva River system.*

20 (b) *MEMBERSHIP.—The Committee shall be composed*
 21 *of a representative of each of the following agencies and or-*
 22 *ganizations:*

23 (1) *The Department of the Interior, represented*
 24 *by the Director of the National Park Service or the*
 25 *Director's designee.*

1 (2) *The East Central Florida Regional Planning*
2 *Council.*

3 (3) *The Florida Department of Environmental*
4 *Protection, Division of Recreation and Parks.*

5 (4) *The Florida Department of Environmental*
6 *Protection, Wekiva River Aquatic Reserve.*

7 (5) *The Florida Department of Agriculture and*
8 *Consumer Services, Division of Forestry, Seminole*
9 *State Forest.*

10 (6) *The Florida Audobon Society.*

11 (7) *The nonprofit organization known as the*
12 *Friends of the Wekiva.*

13 (8) *The Lake County Water Authority.*

14 (9) *The Lake County Planning Department.*

15 (10) *The Orange County Parks and Recreation*
16 *Department, Kelly Park.*

17 (11) *The Seminole County Planning Depart-*
18 *ment.*

19 (12) *The St. Johns River Water Management*
20 *District.*

21 (13) *The Florida Fish and Wildlife Conservation*
22 *Commission.*

23 (14) *The City of Altamonte Springs.*

24 (15) *The City of Longwood.*

25 (16) *The City of Apopka.*

1 (17) *The Florida Farm Bureau Federation.*

2 (18) *The Florida Forestry Association.*

3 (c) *ADDITIONAL MEMBERS.—Other interested parties*
 4 *may be added to the Committee by request to the Secretary*
 5 *and unanimous consent of the existing members.*

6 (d) *APPOINTMENTS.—Representatives and alternates*
 7 *to the Committee shall be appointed as follows:*

8 (1) *State agency representatives, by the head of*
 9 *the agency.*

10 (2) *County representatives, by the Board of*
 11 *County Commissioners.*

12 (3) *Water management district, by the Gov-*
 13 *erning Board.*

14 (4) *Department of the Interior representative, by*
 15 *the Southeast Regional Director, National Park Serv-*
 16 *ice.*

17 (5) *East Central Florida Regional Planning*
 18 *Council, by Governing Board.*

19 (6) *Other organizations, by the Southeast Re-*
 20 *gional Director, National Park Service.*

21 (e) *ROLE OF COMMITTEE.—The Committee shall assist*
 22 *in the development of the comprehensive management plan*
 23 *for the Wekiva River system and provide advice to the Sec-*
 24 *retary in carrying out the management responsibilities of*
 25 *the Secretary under this Act. The Committee shall have an*

1 *advisory role only, it will not have regulatory or land ac-*
 2 *quisition authority.*

3 (f) *VOTING AND COMMITTEE PROCEDURES.—Each*
 4 *member agency, agency division, or organization referred*
 5 *to in subsection (b) shall have 1 vote and provide 1 member*
 6 *and 1 alternate. Committee decisions and actions will be*
 7 *made with the consent of $\frac{3}{4}$ of all voting members. Addi-*
 8 *tional necessary Committee procedures shall be developed*
 9 *as part of the comprehensive management plan.*

10 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

11 *There are authorized to be appropriated such sums as*
 12 *may be necessary to carry out this Act.*

Amend the title so as to read: “A bill to amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the National Wild and Scenic Rivers System.”.

Calendar No. 634

106TH CONGRESS
2D SESSION

S. 2352

[Report No. 106-316]

A BILL

To designate portions of the Wekiva River and associated tributaries as a component of the National Wild and Scenic Rivers System.

JUNE 27, 2000

Reported with an amendment and an amendment to the title